

REMARKS

The Examiner's Final action and the references cited therein have again been carefully considered. The application has been amended to overcome the rejection of claims 1 and 8 under 35 USC 112, first paragraph. In this rejection, the Examiner has objected to the amendment of claim 1 from "acquiring by the end user of a license" to "acquiring by the conditional access component of a license" and of claim 8 from "means for acquiring a license" to "means in the conditional access component for acquiring a license." The Examiner takes the position that the amended language is in conflict with Paragraphs [0106] to [0113] of the published application. Accordingly, to overcome this ground of rejection and to place the application at least in better condition for appeal (if not for allowance), applicant has amended claim 1 to "receiving by the conditional access component, by reception of an EMM, a license" and claim 8 to "means for receiving an EMM containing a license." This amended language is in strict conformity with the disclosure in the specification (see, e.g., Paragraph [0109]) and does not raise new issues, particularly in view of the prior citation of Schooneveld. Accordingly, it is respectfully requested that these amendments to claims 1 and 8 be entered. In a telephone conference with the Examiner on June 1, 2010, Examiner Kim indicated that the amendments appeared satisfactory and, pending final review by him, would be entered. In addition, undersigned counsel more fully explained to the Examiner the distinctions between Giachetti et al and the claimed invention of claims 1 and 8, all as is set forth more fully hereinafter.

Claims 1 and 8 have been rewritten to now recite that the license is received by the conditional access component via an EMM containing the license and the selected conditional access system is enabled by the conditional access component after successful verification of the license by the conditional access component. It is believed that the claims presently on file are allowable over the newly cited art and, for the reasons which follow, the Examiner is respectfully requested to reconsider and withdraw all grounds of rejection over prior art.

Claims 1, 2, 4, 5, 8 and 10 stand rejected under 35 USC 103(a) as being unpatentable over Giachetti et al in view of Schooneveld, the Examiner stating that Giachetti et al teaches all of the features recited in the rejected claims except that it "fails to disclose the license authorization in more detail." Schooneveld is cited to show licensing authorization methods,

such as transmission of EMMs, ECMs, etc. This ground of rejection is respectfully traversed for the reasons set forth hereinafter.

The present invention provides a conditional access component that includes several software items, each referred to as a conditional access system and each being directed to a particular access system. An important feature of the present invention is a method of operating a conditional access network (claim 1) which involves preloading several conditional access systems in a single conditional access component before the component is provided to the end user, whereby the user, upon acquiring a license for a particular provider's content, can selectively enable that provider's conditional access system in the conditional access component. The conditional access systems are initially disabled, and do not become activated until the end-user elects to activate any particular system by paying or agreeing to pay the necessary license fee and acquiring the required license. In this manner only a single device is required for an end-user to consume services from several conditional access systems as contrasted, for example, with prior practice wherein each provider's conditional access system was linked to its own hardware.

Claim 8 recites a conditional access component having a first software module embedding a basic functionality common to a plurality of different conditional access systems, said module allowing a particular identified conditional access system to be enabled subject to successful verification of a license therefor, a plurality of preloaded specific application software of which each constitutes a particular conditional access system in conjunction with the basic functionality, a non-volatile memory for storing the plurality of specific application software, the particular conditional access systems being initially disabled in the non-volatile memory, a smart card inserted into said component, means on said smart card for identifying a particular conditional access system, means for receiving an EMM containing a license for the particular identified preloaded conditional access system, and means in the conditional access component for selectively enabling the particular preloaded identified conditional access system subject to a successful verification of the corresponding license by the conditional access component.

The elements of claims 1, 2, 4, 5, 8 and 10 are not rendered obvious to one of ordinary skill in the art based upon the teachings of Giachetti et al. in view of Schooneveld. Specifically Giachetti et al is directed to the use of a standardized interface between a decoder and a separate detachable CA module in order to allow the customer to receive with

a single DVB decoder any DVB program controlled by any CA system. Each CA module requires a separate interface so that in order to receive programming controlled by multiple CA systems, a customer requires a decoder, multiple interfaces and multiple CA systems associated with the interfaces. Giachetti et al at p. 837, second paragraph following "COMMERCIAL OBJECTIVES AND REQUIREMENTS." According to Giachetti et al, the separate detachable CA modules descramble the whole data so that the decoder is not used for descrambling at all and the same decoder is suitable for all CA systems. However, Giachetti et al fails to disclose a **single** conditional access component that **initially** contains multiple CA systems, wherein the preloaded systems are disabled until a purchase action, such as acquiring a license, is performed and wherein means are provided in said conditional access component for selectively enabling at least one of the preloaded systems subject to successful verification of the license by said component. Rather Giachetti et al teaches that each CA system should be loaded onto its own detachable module and each module is associated with the decoder through its own separate interface, thus highlighting that Giachetti et al does not teach a single conditional access component which contains multiple CA systems. Moreover, Giachetti et al does not teach that the CA systems are initially disabled.

Schooneveld at cited pages 218-219 teaches only the mode of operation of a conventional broadcast pay TV system. Like Giachetti et al it fails to disclose a single preloaded conditional access component that contains **initially** all variations of the future functionalities, wherein the preloaded systems are disabled until a purchase action. It is cited by the Examiner to disclose the license authorization method in detail. Whether Schooneveld discloses the license authorization procedure of claim 1 or not, it is clear that it does not make up for the serious deficiency of Giachetti et al, namely, that there is no disclosure in either reference of a **single** preloaded conditional access component that contains **initially** multiple CA systems, wherein the preloaded systems are disabled until a purchase action, such as acquiring a license, is performed. Accordingly, no combination of Giachetti et al and Schooneveld would render it obvious to one skilled in the art to operate a conditional access network or provide a conditional access component such as is claimed in either of claims 1 or 8. The rejection of claims 1, 2, 4, 5, 8 and 10 under 35 USC 103(a) fails because Giachetti et al does not disclose preloading software access systems onto a single conditional access component, which systems are disabled when installed, and which may be

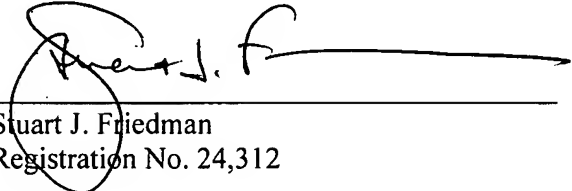
selectively enabled by a license, which is verified by the system. Therefore,, the rejection of claims 1, 2, 4, 5, 8 and 10 as unpatentable over Giachetti et al in view of Schooneveld should be reconsidered and withdrawn.

Claim 3 stands rejected under 35 USC 103(a) as being unpatentable over Giachetti et al in view of Schooneveld and further in view of Kamperman et al. Kamperman is cited to show a conditional access component including a filter unit for filtering out specific EMMs of conditonal access systems. Even assuming arguendo that Kamperman contains such disclosure, this limited disclosure of Kamperman does not make up for the aforementioned deficiencies of Giachetti et al in view of Schooneveld. Specifically, Kamperman et al does not disclose preloading a plurality of conditional access systems onto a single conditional access component, which systems are disabled when installed, and which may be selectively enabled by a license, which is verified by the system. Accordingly, no combination of Giachetti et al in view of Schooneveld and further in view of Kamperman et al can be seen to render unpatentable these inventive aspects of the present invention. Accordingly, remaining claim 3 is allowable at least because it depends from allowable claim 1.

In view of the foregoing, the amendments to claims 1 and 8 should be entered because they place the application in better condition for appeal or for allowance and do not raise new issues. In addition, in view of the remarks made herein, reconsideration and withdrawal of all of the prior art grounds for rejection is respectfully urged and an early Notice of Allowance directed to remaining claims 1-5, 8 and 10 is courteously solicited.

Respectfully submitted,

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